

Response to Amendment

1. The amendment filed on 9/15/2008 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because a provisional election without traverse was made with respect to a restriction requirement before the first action on the merits was mailed on 3/21/2005. Group 1 had been elected and these new claims appear to be directed towards the non-elected group 3.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

/CURTIS KUNTZ/

Supervisory Patent Examiner, Art Unit 2614